

**MINUTES  
CITY OF YUMA  
REGULAR CITY COUNCIL MEETING  
COUNCIL CHAMBERS – YUMA CITY HALL  
ONE CITY PLAZA, YUMA, ARIZONA  
TUESDAY, FEBRUARY 16, 2010  
5:43 P.M.**

**CALL TO ORDER**

**Mayor Krieger** called the City Council meeting to order.

**INVOCATION/PLEDGE**

**Mayor Krieger**, gave the invocation. **Councilmember Beeson**, led the City Council in the pledge of allegiance.

**ROLL CALL**

Councilmembers Present: Stuart, Mendoza, Beeson, McClendon, Brooks-Gurrola, Johnson and Mayor Krieger  
Councilmembers Absent: none  
Staffmembers Present: City Administrator, Mark Watson  
Deputy City Administrator, Bob Stull  
City Attorney, Steve Moore  
Various Department Heads or their representative  
City Clerk, Brigitta M. Kuiper

**FINAL CALL**

**Mayor Krieger** made a final call for the submission of Speaker Request Forms from members of the audience.

**PRESENTATIONS**

- **Deb Drysdale**, Principal at George Washington Carver Elementary School, recognized the City of Yuma for their investment in Carver School through the Community Development Block Grant. Grant monies were used to build a playground that was designed by the 5<sup>th</sup> and 6<sup>th</sup> graders of the school.

**I. CALL TO THE PUBLIC - none**

**II. MOTION CONSENT AGENDA**

**Motion** (Johnson/McClendon): To adopt the Motion Consent Agenda as recommended, with the exception of item B.2 which was removed by Mendoza. Voice vote: **approved 7-0.**

**A. Approval of minutes of the following City Council meetings:**

Special Worksession  
Regular City Council Meeting

December 15, 2009  
December 16, 2009

B. Approval of Staff Recommendations:

1. Executive Sessions may be held at the next regularly scheduled Special Worksession, Regular Worksession and City Council Meeting for personnel, legal, litigation and real estate matters pursuant to A.R.S. § 38-431.03 Section A (1), (3), (4), and (7). (Attny)
2. Removed for separate consideration; see below.
3. Approve a Special Event Liquor License application submitted by Barry Olsen, on behalf of the Caballeros de Yuma, Inc., for the annual Midnight at the Oasis Festival. The scheduled event will be held at 3500 S. Avenue A, Ray Kroc Complex, March 5, 2010 from 3:00 p.m. to 11:30 p.m. and March 6, 2010 from 8:00 a.m. to 12 midnight (SP10-03) (Admin/Clerk)
4. Authorize the City Administrator and City staff to process and execute all forms and documents pertaining to the Arizona Criminal Justice Commission DUI Abatement Program Grant Agreement. (Police/Patrol)
5. Authorize the City Administrator to process and execute all forms and documents pertaining to the Arizona Department of Public Safety (DPS) Gang and Immigration Intelligence Team Enforcement Mission (GIITEM) State Gang Task Force agreement. (Police/Investigations)
6. Approve the amended final plat of the Tuscany Medical and Professional Plaza Subdivision. The property is located at the southeast corner of Avenue B and 28th Street. The applicant is Edais Engineering, on behalf of Territorial Real Estate, LLC. (S2006-002R) (DCD/Planning)
7. Authorize the purchase of Slurry Seal Operations for a one-year contract, on an as-needed basis, utilizing the cooperative purchase agreement originated by Yuma County at an estimated annual cost of \$280,000.00 to: Southwest Slurry Seal, Inc. Phoenix, Arizona. (Bid #2010000324) (PW/Streets)

**Motion Consent Agenda Item Removed for Separate Consideration**

- B.2 Approve a Special Event Liquor License application submitted by Maria Yolanda Renteria, on behalf of the United Way of Yuma County, for a Community Visibility and Charitable Fundraiser Music Fest '10. The scheduled event will be held at 2200 W. Water Street, West Wetlands Park, March 20, 2010 from 12:00 p.m. to 6:00 p.m. (SP10-01) (Admin/Clerk)

**Motion** (McClendon/Johnson): To approve the Motion Consent Agenda item B.2, Special Event Liquor License: the United Way of Yuma County. Voice vote: **approved** 6-0-1; Mendoza declared a conflict of interest because he is a current board member of United Way.

### **III. RESOLUTION CONSENT AGENDA**

**Motion** (McClendon/Mendoza): To adopt the Resolution Consent Agenda as recommended.

**Kuiper** displayed the following title:

#### **Resolution R2010-06**

**A resolution of the City Council of the City of Yuma, Arizona, amending Resolution No. R2010-02 and Resolution No. R2010-03 to delete all references to an all mail ballot election on May 18, 2010 (Admin/Clerk)**

Roll call vote: **adopted 7-0.**

### **IV. ADOPTION OF ORDINANCES CONSENT AGENDA**

**Motion** (McClendon/Mendoza): To adopt the Ordinances Consent Agenda as recommended.

**Kuiper** displayed the following title:

#### **Ordinance O2010-11**

**An ordinance of the City Council of the City of Yuma, Arizona, amending Chapter 154 of the Yuma City Code, as amended, to add several new commercial uses as permitted uses in the Light Industrial (L-I) District**

(Z2009-021; applicant: Wayne Benesch on behalf of Ingold Family Investments, LLC) (DCD/Planning)

Roll call vote: **adopted 7-0.**

### **V. INTRODUCTION OF ORDINANCES**

**Kuiper** displayed the following titles:

#### **Ordinance O2010-13**

**An ordinance of the City Council of the City of Yuma, Arizona, amending Chapter 157 of the Yuma City Code, as amended, adding the definition of "construction permit" and amending the definition of "new development" to clarify certain sections of the ordinance in accordance with the express intent that new development contribute its proportionate share towards the costs of public facilities reasonably necessitated by such new development**

(Eng)

#### **Ordinance O2010-15**

**An ordinance of the City Council of the City of Yuma, Arizona, amending Chapter 154 of the Yuma City Code, as amended, rezoning certain property hereinbefore located in the Low Density Residential (R-1-6) District to the Low Density Residential / Public Overlay (R-1-6/P) District and amending the zoning map to conform thereto**

(Z2009-023; property located at 2951 S. 21<sup>st</sup> Drive – Yuma County Main Library; applicant: City of Yuma on behalf of the Yuma County Library District) (Eng)

**Ordinance O2010-16**

**An ordinance of the City Council of the City of Yuma, Arizona, authorizing and directing that a certain parcel of real property, hereinafter described, be acquired by the City of Yuma, by gift, purchase or under the power of eminent domain, for the reason that such property is required to improve the public roadway and utility infrastructure and other public purposes as may be related thereto, and authorizing payment therefor, together with costs necessary for the acquisition of said parcel of real property**

(Right-of-way acquisition: 12<sup>th</sup> Street – Lots 263 and 264 of Magnolia Village Unit No. 3) (Eng)

**Ordinance O2010-17**

**An ordinance of the City Council of the City of Yuma, Arizona, authorizing and directing that a certain parcel of real property, hereinafter described, be acquired by the City of Yuma, by gift, purchase or under the power of eminent domain, for the reason that such property is required to improve the public roadway and utility infrastructure and other public purposes as may be related thereto, and authorizing payment therefor, together with costs necessary for the acquisition of said parcel of real property**

(Right-of-way acquisition: 12<sup>th</sup> Street – Lot 300 of Magnolia Village Unit No. 3) (Eng)

**Ordinance O2010-18**

**An ordinance of the City Council of the City of Yuma, Arizona, amending Ordinance No. O2002-26, for the purpose of revising a certain legal description contained therein and authorizing and directing that a certain parcel of real property, hereinafter described, be acquired by the City of Yuma, by gift, easement, purchase or under the power of eminent domain, for the reason that such property is required to improve the public roadway and utility infrastructure and other public purposes as may be related thereto, and authorizing payment therefor, together with costs necessary for the acquisition of said parcel of real property**

(Right-of-way acquisition: Avenue A) (Eng)

**Ordinance O2010-19**

**An ordinance of the City Council of the City of Yuma, Arizona, amending Sections 191-49 and 191-51 of the Yuma City Code, as amended, relating to industrial wastes and other wastewater discharges (Wastewater discharge local limits) (Utilities)**

**Ordinance O2010-20**

**An ordinance of the City Council of the City of Yuma, Arizona, amending Ordinance O2010-08 to delete all references to an all mail ballot election on May 18, 2010 and change the proposition number (Special Election: Yuma City Charter, Article XII, Section 2, local preference) (Admin/City Clerk)**

**VI. PUBLIC HEARINGS - none**

**VII. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING**

**Announcements**

**Johnson** stated he would be attending the Rural Transportation Advocacy Council meeting in Bisbee, Arizona.

**Scheduling**

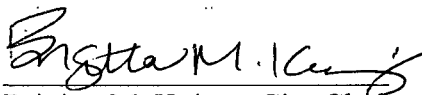
**Motion** (Mendoza/McClendon): To set a Special Worksession/ Roundtable on Tuesday, February 23, 2010, at 3:00 p.m. in City Hall Conference Room #190. Voice vote: **approved 7-0.**

**VIII. SUMMARY OF CURRENT EVENTS**

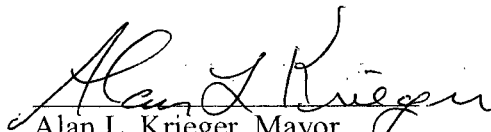
**Watson** recognized that this is Bob Stull's last City Council meeting, after 23 years of employment with the City of Yuma. **Stull** thanked the public, City staff, and Mayor and Council for the opportunity to have served in such a wonderful city.

**IX. EXECUTIVE SESSION/ADJOURNMENT**

**Mayor Krieger** adjourned the meeting at 6:01 p.m. No Executive Session was held.

  
Brigitta M. Kuiper, City Clerk

APPROVED:

  
Alan L. Krieger, Mayor

